

The Sun

**\$1 million was stolen
restitution totals \$250
Embezzler's request for reduced sentence is denied by judge**

by Caitlin Francke

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Convicted embezzler Joseph Goldberg Sr. has paid about \$250 from his work-release salary in restitution for the nearly \$1 million he stole -- an amount that frustrates prosecutors and saddened a victim who lost her life savings.

The disclosure came in a hearing yesterday in Howard Circuit Court, where Goldberg was asking for a reduction in his jail sentence so he could earn more money to pay his victims.

The request was denied.

"One would have thought that more would have been paid out at this point," said state Assistant Attorney General Michael A. DiPietro. "Thus far the system has not worked."

There had been confusion over how Goldberg was to pay restitution during his 18 months at the Howard County Detention Center, attorneys for both sides said yesterday.

Goldberg earns \$450 a week from his work-release job as a landscape supervisor in Woodlawn. However, the jail did not start deducting \$25 a week for restitution until May -- eight months after Goldberg was sent to jail.

Goldberg's attorney, Clarke F. Ahlers, said yesterday that Goldberg's employer had saved another \$500 from his wages for restitution purposes, but that money apparently has not made it into the hands of his victims yet.

DiPietro said 15 victims have received \$43,000 from the liquidation of Goldberg's title firm, Land Title Research Inc.

Goldberg pleaded guilty in July 1997 to theft and failure to file a tax return. He was sentenced to 18 months.

Prosecutors said that as a title and settlement agent, Goldberg took money from clients -- homebuyers and sellers, mortgage lenders and banks -- and was supposed to use the money to pay their bills at real estate settlements.

Instead, he spent the money on himself, covering up gaps in his accounts with the aid of his assistant and girlfriend, Patricia Horak -- who has pleaded guilty to conspiracy to commit theft.

Dressed in a blue suit and wearing leg irons yesterday, Goldberg told Howard Circuit Judge Diane O. Leasure that he wants to pay back the remaining money.

He asked for a reduction in his jail sentence so he could work more than one job and use money that he pays the jail to pay his victims instead. Goldberg said he has had to pay "at least" \$3,080 for room and board from his earnings while at the jail.

"It is my belief, Your Honor, that a modification of my sentence will allow me the ability to pay at least three times what I am paying now, and will further allow me to pursue side work which will increase my restitution potential," Goldberg wrote to Leasure on Monday.

Leasure denied the request to reduce his jail time but changed her order that he spend his first year of probation on home detention because of the cost of that program -- about \$15 a day.

"This money is better [used] towards paying the victims in this case," Leasure said.

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Paula Wagner, a schoolteacher who lost her \$76,000 life savings to Goldberg and was the only victim to attend the hearing, said yesterday she does not think she will ever see all the money.

She received \$18,000 from the liquidation of the company in May, she said, but that will pay attorneys. When she got two checks for \$70 from the detention center for restitution, she said, she used them to buy gas and groceries.

"I lost it all, plus," Wagner said outside court.

For Goldberg's family, however, life has done an about-face since he was sentenced. The case threw his three children and their mother into emotional turmoil. When Horak was sentenced, Goldberg's then 17-year-old daughter, Pamela, denounced her father in a letter to Leasure urging her to put Horak in jail.

"I never knew that the things I had were other people's money and finding that out only makes me sick," Pamela Goldberg wrote. "Now that my life is empty of security I realize that material things meant nothing. Maybe that was a lesson God wanted me to learn but for those who invested in 'Land Title' it wasn't fair."

For yesterday's hearing, the three children wrote a very different letter. They asked that Leasure release their father because they wanted to restore their relationship with him.

"Long before he went to jail, we were not speaking to him due to personal issues between our family, but it wasn't until he was sentenced that he realized how he had hurt everybody," the three wrote. "From speaking to him on the phone and hearing him say things about his mistakes, it is our opinion that he has realized his wrong and is ready to start over and live a different life."

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